

TRIPURA GAZETTE



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PART--I-- Orders and Notifications by the Government of Tripura,
The High Court, Government Treasury etc.

GOVERNMENT OF TRIPURA
DEPTT. OF SCIENCE, TECHNOLOGY & ENVIRONMENT
VIGYAN, PRAJUKTI O PARIVESH BHAWAN
GORKHABASTI: AGARTALA
TRIPURA-799006

No.F.8 (30)/DSTE/ENV/Pt-III/8160-83

Dated .. 15/12/2018

DRAFT NOTIFICATION

WHEREAS, Article 48A of the Constitution of India, inter-alia envisages that the State shall endeavour to protect and improve the natural environment for safeguarding human beings, wildlife including all living creatures, forests, lake, rivers etc.;

AND WHEREAS, the Government of Tripura, after considering the adverse effects of Plastic Pouch packets (PPP) and one time/single use – plastic/thermocool made cup, plate, glass, dish (thal) etc. including plastic laminated cup/plate/dish on the environment and local ecology felt that these are littered about irresponsibly and have detrimental affect on the environment.

AND WHEREAS, it is observed that the Plastic Pouch packets (PPP) and one time/single use – plastic/thermocool made cup, plate, glass, dish (thal) etc. including plastic laminated cup/plate/dish also cause blockage of gutters, sewerage system and drains, thereby resulting in unhygienic environmental and public health related problems.

AND WHEREAS, it is observed that Plastic Pouch packets (PPP) and one time/single use – plastic/thermocool made cup, plate, glass, dish (thal) etc. including plastic laminated cup/plate/dish are non-biodegradable and after hundreds of years breaks to toxic plastic particles polluting soil; produces toxic gases and ash on it's burning.

AND WHEREAS, it is observed that the Plastic Pouch packets (PPP) and one time/single use – plastic/thermocool made cup, plate, glass, dish (thal) etc. including plastic laminated cup/plate/dish cause aquatic and terrestrial animals die by its ingest, it's litters arrest the recharging ground water aquifers; harmful chemicals and colours of plastic contaminates soil and water; these chokes the living organisms of the soil etc causes harmful effects on the environment.

AND WHEREAS, the Plastic Pouch packets (PPP) and one time/single use – plastic/thermocool made cup, plate, glass, dish (thal) etc. including plastic laminated cup/plate/dish adversely affects on percolation of water to ground levels, hamper the quality of soil layer, effect the growth of roots & plants and creature etc which causes long term bad effect on ecology & environment.

Now, therefore, in accordance of Rule 4 of the Environment (Protection) Rules, 1986, the Government of Tripura has desired to issue **the draft Notification for seeking objections/suggestions (in writing) from all people/public authorities within 30 (thirty) days before to issue the final notification** on imposing complete ban on the manufacture, import, storing, transport, sale and use of Plastic Pouch packets (PPP) and one time/single use – plastic/thermocool made cup, plate, glass, dish (thal) etc. including plastic

laminated cup/plate/dish in the whole state in exercise of the powers conferred by section 5 of the Environment (Protection) Act, 1986 (29 of 1986), and also the powers conferred to this State vide Notification No.S.O.479 (E) dated the 25th July,1991 under Section 23 of the Environment (Protection) Act, 1986 where the ban shall be given effect after a period of 3(three) months from the date of issue of this final Notification.

All concerned are invited to examine and register their Objection (in writing) on the 'Draft Notification', if any, within one month with the Directorate of Science, Technology & Environment, Government of Tripura, Vigyan, Prajukti O Parivesh Bhawan, Gorkhabasti, Agartala for consideration. After that no extension of time will be entertained and final Notification will be issued immediately

In this context, directions & other issues of this final notification considered by the Government given below:-

Directions:-

1. No person including a shopkeeper, vendor, wholesaler or retailer, trader, hawker or fehriwala (i.e, which shall include all kinds of hand pushed/pulled carts which are used to sell various commodities), shall sell or store or use any kind of Plastic Pouch packets (PPP) for storing or dispensing of any eatable or non-eatable goods or materials.
2. No person including a shopkeeper, vendor, wholesaler or retailer, trader, hawker or fehriwala (i.e, which shall include all kinds of hand pushed/pulled carts which are used to sell various commodities), shall sell or store or use any kind of one time/single use – plastic/thermocool made cup, plate, glass, dish (thal) etc. for storing or dispensing of any eatable or non-eatable goods or materials.
3. No person shall manufacture, import, store, sell or transport any kinds of Plastic Pouch packets (PPP) and one time/single use – plastic/thermocool made cup, plate, glass, dish (thal) etc in the whole of State of Tripura.

Exception:-

1. The direction issued under this notification shall not affect the use of Plastic Pouch packets (PPP) under the Bio-Medical Waste (Management and Handling) Rules, 1998 & the Bio-Medical Waste Management Rules, 2016 as amended to date if any.
2. The direction issued under this notification shall not affect the use of Plastic Pouch packets (PPP) in nursery of agriculture & forest field.
3. The direction issued under this notification shall not affect on pre-packed commodities i.e. the packing in which goods are sealed prior to use.

Explanation:-

For the purpose of this Notification "Plastic Pouch packets (PPP)" mean pouches made from any plastic material which have no self carrying feature, to be used for the purpose of carrying or packing of commodities but do not include Pouch packets/dishes/cups/glasses that constitute or form an integral part of the packing in which goods are sealed prior to use.

Authorized Officers:-

The following officers are hereby authorized to implement this Notification in their respective jurisdiction namely:

1. Member Secretary, Tripura State Pollution Control Board and Officers at the level of Junior Environmental Engineer/Junior Scientist and above.
2. Municipal Commissioner, Agartala Municipal Corporation, Agartala and other Officers nominated by him.
3. Chief Executive Officer of Tripura Tribal Area Autonomous District Council, Tripura and other Officers nominated by him.
4. District Magistrate & Collectors of all respective Districts in Tripura and his nominees.
5. Superintendent of Police, SDPO, Sub-Inspector of Police and Asst. Sub-Inspector of Police & Other Officials nominated by Superintendent of Police.
6. Director, Department of Science, Technology & Environment, Government of Tripura and Officers at the level of Scientific Officer and above.
7. Director, Food and Civil Supplies Department and Officers at the level of Inspector and above. Director may nominate any other officials as deemed fit.
8. Director, Industries & Commerce Department and other Officers nominated by him.
9. Director, Health & Family Welfare Department or other Officers nominated by him.
10. Commissioner of Taxes & Excise and Officers at the level of Inspector of Taxes and above.
11. Labour Commissioner, Labour Department and Officers at the level of Inspector and above.
12. Sub-Divisional Magistrate of all respective Sub-Division in Tripura.
13. Block Development Officer of all respective block in Tripura.
14. Chief Executive Officer of all Municipal Council in Tripura
15. Executive Officer of all respective Nagar Panchayet in Tripura.

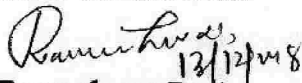
Monitoring:-

The Member Secretary, Tripura State Pollution Control Board (TSPCB) shall ensure over all monitoring and implementation of these directions. The Chairman and the Member Secretary, TSPCB and all the Authorized Officers mentioned in foregoing para within their respective area/jurisdiction, are authorized to file complaint under section 19 of the Environment (Protection) Act, 1986.

Enforcement:-

The Notification shall come into force after a period of 3(three) months from the date of issue of the final notification.

By the order of the Governor


(Rameshwar Das)
Secretary
Government of Tripura